

IN PIMA COUNTY SUPERIOR COURT

FILED  
GARY L. HARRISON  
CLERK, SUPERIOR COURT

2019 JAN -7 AM 8:53

AFFIDAVIT FOR SEARCH WARRANT

**19SW0031** No. D. WANDELL, DEPUTY

YOUR AFFIANT, **Special Agent Cullen Conerly**, A PEACE OFFICER IN THE STATE OF ARIZONA AND EMPLOYED BY THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, BEING FIRST DULY SWORN, UPON OATH, DESPOSES AND SAYS:

That on or about the 6th day of July 2018, and continuing through on or about the 27<sup>th</sup> day of August 2018, a public offense in violation of Arizona Revised Statutes:

- A.R.S. 13-1003, Conspiracy, a class 2 felony,
- A.R.S. 13-2312, Illegally Conducting an Enterprise, a class 3 felony,
- A.R.S. 13-3407(A)(2), Possession of a Dangerous Drug for Sale, a class 2 felony,

was or is being committed in the County of Cochise, State of Arizona.

YOUR AFFIANT (has probable cause to believe) that:

{X} on the person(s) of:

- Jaime Rene LEZA, DOB 04/07/1960, 5'9", 180 pounds, Brown hair, Brown eyes, SSN [REDACTED]-6713

{X} in and upon the premises (including all buildings, structures, rooms, equipment, and vehicles used in connection or located within the curtilage of said premises) known and described as:

- 170 East Busby Drive, Sierra Vista, Arizona 85635 is a light brown, single-story mobile home with an eastward facing dark brown front door. There are multiple windows on the East side of the residence. The residence also has a westward facing white back door with three steps leading up to the door from the South. There is one small window with a white awning on the northwest side of the residence. The residence is located on the

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South side of East Busby Drive, is directly South of South 1<sup>st</sup> Street, and is the second residence to the West of North Sulger Street. The majority of the property is completely surrounded by a fence with only the northern end of the residence visible and facing East Busby Drive. There is a light brown shed located on the southeast corner of the property with a light colored North facing door. There are also two sheds that appear to be attached on the southwest corner of the property. The eastern most shed is light colored with a light colored roof. The western most shed is grey with a dark colored roof and an open air dark colored structure attached to the northern end of the shed. There are numerous vehicles within the fenced property and also on the North side of the property outside the fence, but still parked on the property. There is an alley behind the property that spans the entire property and neighboring properties. \*SEE

## ATTACHMENT B\*

{ } in vehicle(s) described as:

there is certain person (s), property or things

{X} is the subject of an outstanding arrest warrant and/or is wanted for the above mentioned charges

{ } Which are stolen or embezzled

{X} Which were used as means for committing a public offense

{X} Which are being possessed with intent to use as a means of committing a public offense

{ } Which are in the possession of to whom it was delivered for the purpose of concealing it or preventing it from being discovered

{X} which consists of any item or constitutes any evidence which tends to show that a public offense has been committed such as being more fully described in the affidavit.

That said property or things are described as follows:

"SEE ATTACHMENT A"

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That the following facts establish probable cause for believing that grounds for the issuance of a search warrant for the aforementioned items/persons exists:

Since January, 2018, Special Agents from the Drug Enforcement Administration Sierra Vista Resident Office have been working a joint investigation with the Cochise County Sheriff's Office and the Arizona Department of Public Safety (DPS). On July 02, 2018, agents obtained Pima County Superior Court Order 18-WT-0001 authorizing the interception of wire communications to and from (520) 220-9360 (Target Telephone One or TT-1) used by Timothy Francis HENRY. HENRY was identified as a methamphetamine source of supply operating out of Sierra Vista, Arizona. Prior to the authorization of 18-WT-0001, telephone number (520) 226-1145 was identified as a high frequency contact of HENRY. Through an administrative subpoena to T-Mobile, agents were able to identify the subscriber of telephone number (520) 226-1145 as Jaime LEZA with an address of 1189 Ocotillo Dr., Sierra Vista, Arizona 85635 with an activation date of April 4, 2017. On approximately August 6, 2018, agents identified a new phone number used by LEZA, (520) 678-5659, which is a Verizon phone activated on August 6, 2018 with a subscriber name of Jamie LEZA and an address of 170 E Busby Dr., Sierra Vista, Arizona 85635.

On July 13, 2018, reference call sessions 2146, 2148, 2150, 2152, 2154, 2156, 2158, 2160, 2162, 2164, 2174, 2176, 2178, 2188, 2190, 2192, 2194, 2196, and 2196, HENRY received an incoming text from LEZA which read, "Got paper for u boss man." HENRY asked LEZA to come to HENRY's house when his daughter leaves and also asked LEZA, "Are you empty." LEZA replied, "Just about" to which HENRY responded, "You want br rig you some." LEZA replied, "Sure but less plz so I can have paper faster." HENRY told LEZA when his daughter left and LEZA replied, "Give me 20 min so I can go pick up more pAper." On the same date, at approximately 11:44 p.m., HENRY sent an outgoing text to LEZA which read, "580." LEZA replied, "yes" and stated that he would have 750 in the morning because his niece was on the way back from New Mexico. HENRY replied, "That's fine I was just letting

you know what you gave me." Based on your Affiant's training, experience, and knowledge of the case, your Affiant believes that when HENRY asked LEZA if he was "empty" HENRY was referring to being out of methamphetamine and "paper" was in reference to currency.

On July 17, 2018, reference call sessions 2505, 2508, 2510, 2512, 2514, and 2516, HENRY received an incoming text from LEZA which read, "Yes sir got paper for u." The remainder of the call sessions consisted of HENRY agreeing to go over to LEZA's residence.

On July 21, 2018, at approximately 12:30 a.m., reference call sessions 3628, 3813, 3815, 3817, 3825, 3827, and 3837, LEZA sent HENRY a text message which read, "Got paper paper for u boss." HENRY and LEZA arranged for HENRY to stop by LEZA's house later that night, and at approximately 10:02 p.m., HENRY sent LEZA a text message which read, "I'm here." Agents did not receive a ping for TT-1 until approximately 10:09 p.m. which indicated that TT-1 was located at W-110.278573, N31.554129 with an accuracy of five meters. This placed TT-1 in the vicinity of the McDonald's located at 1802 E Fry Blvd., Sierra Vista, Arizona 85635. This McDonald's is located approximately 1.6 miles from LEZA's residence, located at 170 E Busby Dr., Sierra Vista, Arizona.

On July 22, 2018, at approximately 12:27 p.m., reference call sessions 3870, 3872, 3874, 3876, 3878, 3880, 3928, 3930, 3966, 3968, 3970, 3972, and 3973, HENRY sent a text message to LEZA which read, "When you going to be back." LEZA responded, "I just woke up bro wanna meet At my house at 2 30 give me a chance to go collect some more funds." HENRY and LEZA continued to text back and forth regarding when and where they were going to meet. LEZA offered to drive over to HENRY's house, but on the same date, at approximately 5:16 p.m., HENRY responded, "I'm just one block away from you ." At approximately 5:17 p.m., HENRY placed a call to LEZA and reiterated that he was one block away from LEZA and would come over in a couple of minutes. Agents received a ping for TT-1 on July 22, 2018, at approximately 5:23 p.m. which indicated that TT-1 was located at W-110.297155, N31.547595 with an accuracy of eight meters. This placed TT-1 in the vicinity of a residence located on the northeast corner of E Busby Dr. and S 2nd St., approximately one block from 170 East Busby Dr.

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On August 18, 2018, at 2:29 p.m., reference call sessions 11137, 11147, 11155, 11157, 11174, 11195, 11322, 11324, 11328, 11348, 11350, 11352, 11354, 11360, 11362, and 11364, HENRY sent LEZA a text message which read, "What's up bro." LEZA replied, "Hey bro I'll be at track don't 4 got paper for you" and, "I'll text u when I'm headed there koo." At approximately 2:42 p.m., HENRY replied, "You need carbs." LEZA responded, "Yes but gotta get u paper first." LEZA tried to coordinate stopping by HENRY's house on his way home from the track, but HENRY did not initially respond. HENRY later replied that he had just gotten out of the shower and would stop by LEZA's house. At approximately 11:16 p.m. LEZA replied, "If u want to bring a couple carbs be koo." Agents are aware that HENRY commonly refers to methamphetamine as, "carburetors" through previous intercepted communications.

On October 08, 2018, Cochise County Detective Guy Hudson was conducting surveillance of LEZA's residence at 170 East Busby Drive, when a male wearing all black approached and entered the residence. After approximately two minutes, the same male departed the residence on foot and walked to a nearby park, after briefly approaching a suburban near the intersection of Carmichael and Busby in Sierra Vista. After the same suburban pulled into the park near FULTON a traffic stop was initiated. Detective Hudson approached the male in all black, who was later identified as Kirby FULTON while Detective Ryan Olmstead approached the suburban. Upon approaching FULTON, Detective Hudson observed a plastic bag sitting in the dirt near FULTON. Detective HUDSON observed a white crystalline substance in the plastic bag which he knew to be methamphetamine. After FULTON denied ownership of the plastic bag, FULTON was placed under arrest. Detective HUDSON then approached the suburban and made contact with Nina WURSTA, the driver of the suburban. WURSTA stated that she dropped FULTON off. After being transported to the Cochise County Sheriff's Office Substation for processing, FULTON stated that he went to his friend "Jaime's" house because he owed his friend \$60 for some "wheels and tires". The plastic bag was seized and contained 3.5 grams of a white crystalline substance, which was retained by the Cochise County Sheriff's Office and was processed in accordance with CCSO policies and procedures. Agents are aware that \$60.00 is also the going rate for 3.5 grams of methamphetamine in Sierra Vista, Arizona.



On October 11, 2018, FULTON requested to speak with Detective Hudson again. During this interview FULTON informed Detectives that LEZA was a methamphetamine dealer and that he acquired the methamphetamine he was arrested with from LEZA. FULTON stated that LEZA obtains his methamphetamine from Timothy HENRY, who also supplies Branden DUNN and Charity SCUDELLA until she was arrested.

Your Affiant knows, from prior training and experience in investigating drug crimes, that the aforementioned facts and circumstances show that LEZA is actively engaged in the sales of methamphetamine and was an essential component of a drug trafficking conspiracy involving HENRY. Further, your Affiant knows that a person who sells methamphetamine typically is engaged in the sales or use of other illicit drugs, to include but not limited to Marijuana, Cocaine, and/or Heroin. Further, your Affiant knows that persons who engage in illegal sales or use of illegal drugs often possess firearms in which are utilized to protect their drugs and proceeds from persons who wish to forcefully steal from the drug dealer. Your Affiant knows that the frequency of contact with HENRY and the sum of payments LEZA made to HENRY, combined with the arrest of Kirby FULTON, indicates that LEZA is a prominent retail dealer in Sierra Vista that obtains "for sale" amounts from HENRY.

Your Affiant believes there is just and probable cause that LEZA possesses items of evidentiary value inside 170 East Busby Drive, Sierra Vista, Arizona, as listed above, that proves he is indeed engaged in the sales of methamphetamine. Your Affiant believes that LEZA currently resides at 170 East Busby Drive and that there will be additional information pertaining to LEZA's involvement in the Transnational Criminal Organization (TCO) involving HENRY inside the residence.

Your Affiant requests a daytime warrant be granted for Jaime Rene LEZA, DOB 04/07/1960, 170 East Busby Drive, Sierra Vista, Arizona, 85635, and all buildings and vehicles found within the curtilage of the property. Your Affiant requests a search warrant be issued commanding a search be made of the persons, premises, buildings, and vehicles described herein for the property, persons and things herein

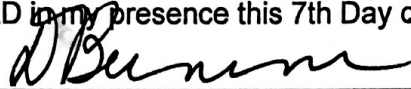
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described, and the same be retained in the custody of the Affiant or in the custody of the agency which the Affiant represents and disposed of according to law, pursuant to A.R.S. 13-3920.

  
Special Agent Cullen Conerly

Peace Officer for the State of Arizona

SWORN TO AND SUBSCRIBED in my presence this 7th Day of January, 2019



Honorable Judge Deborah Bernini

Pima County Superior Court